

## **Voter Photo ID Public Information Campaign - Background**

On June 9, 2011, 2011 Assembly Bill 7 related to requiring photo identification in order to vote, and making other election administration changes, was published as 2011 Wisconsin Act 23. The voter identification law specifically required the Government Accountability Board (G.A.B.) to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements in conjunction with the first regularly scheduled primary and general election at which the voter identification requirements initially apply. 2011 Wisconsin Act 23, Section 144 (1). The legislation also directed that the G.A.B. engage in outreach to identify and contact groups of electors who may need assistance in obtaining or renewing an acceptable form of photo ID and to provide assistance to electors in obtaining or renewing that document. 2011 Wisconsin Act 23, Section 95.

Under the 2011-13 biennial budget act (2011 Wisconsin Act 27), the Legislature provided G.A.B. \$1,965,200 in 2011-12, and 5.0 two-year project positions to the Board's GPR biennial general program operations appropriation to implement the provisions of 2011 Act 23. The funding and positions were intended to be utilized for public outreach and information, modification of the Statewide Voter Registration System, training of election officials, support of the Board's Help Desk, and the revision of election forms and materials. Of that initial appropriation, the G.A.B. spent \$631,899 in FY-12 and \$89,648 in FY-13, for a total of \$721,547.

Due to the relatively short period between passage of Act 23 and implementation of the photo ID requirement in February 2012, the G.A.B. did not have time to conduct a full request-for-proposals process to hire an advertising agency to develop the public information campaign. Instead, staff identified several advertising agencies already under contract with state agencies that would permit the G.A.B. to "piggy-back" on their existing contracts.

After viewing advertising agency presentations, the G.A.B. hired the advertising firm Knupp, Watson & Wallman, Inc. of Madison (KW2), which has an ongoing state contract with the Department of Health Services for its tobacco control campaign. KW2 has also developed campaigns for the Department of Transportation and the Wisconsin Attorney General (Fly Effect anti-heroin campaign).

Working with G.A.B. staff, KW2 developed, produced and deployed the original public information multi-media campaign, known as "Bring It to the Ballot," in 2011, at a cost of \$181,041 in FY-12.

The main goal of the Bring It campaign is to make sure that all Wisconsin voters are aware of the photo ID requirement so those who do not have an acceptable ID can get one in time for the election. However, because the law is complex (many different acceptable IDs and some important exceptions) most details cannot be covered in brief TV or radio ads. Thus, a secondary goal of the campaign is

encourage people to learn more about the law in order to avoid problems at the polling place on Election Day. Every voter who shows up without an ID or with the wrong ID makes more work for election officials and makes the lines longer for other voters.

The campaign has many components. It primarily consists of eight television and six radio public service announcements in 15 and 30 second durations. There are also digital ads, printed media and billboards. These PSAs and ads are designed to drive viewers and listeners to visit a website ([www.BringIt.wi.gov](http://www.BringIt.wi.gov)) or call a toll-free number (866-VOTE-WIS), where they can get additional, detailed information about the photo ID requirement to vote. Resources on the website include several animated instructional videos (two to three minutes) about how to get a free state ID for voting, what to expect at the polling place, photo ID requirements for absentee voting with exceptions for permanent absentee voters, and photo ID polling place procedures (intended for election workers).

Within the campaign, the messages are divided between awareness and how-to information. The *awareness message* is that an acceptable photo ID is now required to vote in Wisconsin and that viewers should tell their family and friends to “bring it to the ballot.” The *how-to message* is that you probably already have the photo ID you need to vote, but if you do not have an acceptable photo ID, you can get one for free from the Division of Motor Vehicles. Two of the radio ads are in Spanish.

At the start of the campaign in 2012, the main vehicle the G.A.B. used to distribute these TV and radio ads was a Department of Administration contract with the Wisconsin Broadcasters Association that state agencies use to distribute and air public service announcements. The contract requires WBA to provide state agencies with regular reports about how often stations broadcast the public service announcements. In addition, the TV and other short videos were made available on the Bring It website, as well as the YouTube.com and Vimeo.com video-sharing websites.

The campaign launched in early January of 2012, and ran through the February 2012 Spring Primary before multiple legal challenges resulted in permanent injunctions, starting in March of 2012 that forced the G.A.B. to cease implementation of the law. This included pulling the Bring It to the Ballot campaign off the air, disabling the website, and withdrawing other ads (bus placards, outdoor billboards, etc.). With the photo ID requirement on hold, unspent funds from the appropriation lapsed back to the state at the end of the biennium.

In September 2014, the photo ID law was upheld by the 7<sup>th</sup> Circuit Court of Appeals, and the G.A.B. began planning for implantation of the law, including relaunching the Bring It to the Ballot campaign. As part of the relaunch, the G.A.B. had KW2 modify the *how-to messages* of the campaign to reflect a new

Division of Motor Vehicles petition process to assist people having difficulty locating their birth certificates and other documentation necessary to get a free state ID card. Changes to the campaign cost approximately \$3,000. Specifically, language was added to say, “If you don’t have a birth certificate or other documents, the DMV can still help you get a free ID for voting.”

<http://www.bringitwisconsin.com/wisconsin-voter-photo-id-law-psa-bring-it-ballot-how-b-30>. Those ads ran briefly in early October 2014 before the U.S. Supreme Court blocked implementation, and the public education was again shelved.

In March 2015 the United States Supreme Court declined to hear the case, leaving in place the 7<sup>th</sup> Circuit Court of Appeals decision that found Wisconsin’s voter ID requirement to be constitutional. The Wisconsin Attorney General advised G.A.B. not to implement the photo ID requirement for the April 2015 Spring Election because there would not be enough time to train election workers and educate the public about the requirement.

In early FY-16, the G.A.B. spent \$19,637 updating the Bring It to the Ballot campaign and website to make it more compatible with mobile devices.

### **2016 Spring Election Public Information Campaign**

The G.A.B.’s 2015-2017 biennial budget request, submitted September 15, 2014, did not include funds for voter ID education because at the time of its submission, the 7<sup>th</sup> Circuit Court of Appeals had not made its ruling lifting the district court’s injunction. Absent funding for a paid media campaign, the G.A.B. relaunched the Bring It campaign on February 1, 2016, by holding a news conference and issuing news releases about the photo ID requirement. This effort relied largely on an “earned” media – news coverage resulting from our contacts with reporters. With the gracious assistance of the Wisconsin Broadcasters Association, G.A.B. staff distributed TV and radio PSAs from the Bring It to the Ballot campaign to all WBA member stations. WBA did not charge the G.A.B. for distribution of the ads; but without payment, the ads did not have priority and the G.A.B. did not receive reports of when the ads aired.

At the February 16 Spring Primary and the April 5 Spring Election and Presidential Preference Primary, a number of problems with voter photo ID were reported, suggesting the need for a comprehensive public education campaign prior to the August 9 Partisan Primary and the November 8 General Election.

At the February primary there were 567,038 ballots cast, for a turnout of approximately 12.75 percent of the voting age population of 4.4 million residents. The G.A.B. received reports of 91 provisional ballots issued, of which 37 were rejected and 30 were counted. The G.A.B. received no data from clerks on the outcome of the remaining 24 provisional ballots.

In April, as turnout surged to 47.5 percent (2,113,544 ballots in the presidential preference primary), the number of provisional ballots also grew significantly. Clerks reported 375 provisional ballots were issued, of which 258 were rejected and 108 were counted. Clerks have not reported the status of 9 provisional ballots. Anecdotally, the G.A.B. has received reports from voters without an acceptable photo ID who chose not to fill out a provisional ballot because they did not believe they would be able to obtain an ID by the Friday after the election.

In the Spring of 2016, the G.A.B. contracted with KW2 to modify the campaign's branding and message at a cost of \$26,810. The branding changes reflect sponsorship by the Wisconsin Elections Commission instead of the G.A.B. The message change reflects legislative action making veterans' ID cards an acceptable form of photo ID. These changes were paid for from existing G.A.B. funds.